IN BUSINESS, advertising always plays the leading part from the start to the

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# GUILTY, SAYS U.S. SUPREME COURT

## **O**NFRONT FINAL **COURT ORDEAL**

vcott Case Is Dismissed Because American Federation and Stove Company Have Adjusted Their Differences.

TON PARKER'S PLEA FAILS IN CONTEMPT CASE

ree Convicted Men Do Not Seem to Think They Will Serve Sentences, and Appeal Will Be Made to Taft.

QUEL TO PUBLISHING OF THE "UNFAIR LISTS"

Fought Through Every Court: Freedom of the Press the Contention of the Lawyers for Defense.

Top. Left-Samuel Gompers: Top. Right-John Mitchell; Bottom-Frank Morrison.

ASHINGTON, D. C., Jan. 27.—One year in jail for Samuel Gompers, president of the American Federation of Labor; nine months for John Mitchell, the vice president, and six ths for Frank Morrison, the secretary, were the sentences imposed ay by the United States supreme court in the celebrated contempt The great struggle between the American Federation and the Stove and Range company, which ended in an adjustment of ferences some months ago, had a strange and spectacular sequel the highest court of the land.

The boycott case was thrown out of court because of the fact that federation and the stove company had arrived at a peaceful undernding, but the supreme court found that the labor leaders were ilty in the contempt case and affirmed the sentence of the court w. The dramatic finale found the labor leaders apparently unpre- BAILEY HOLDS OTHERWISE red for the decision.

Alton B. Parker, counsel for the three chiefs of the federation, de a strong and able argument which grew eloquent at brief interwhen he defended the principle of freedom of the press.

#### ARKER MAKES ELOQUENT PLEA

The principal charges against his clients, Judge Parker conided, were that they had issued publications which violated the unction decree against boycotting the Buck Stove and Range com- a seat in the senate to any man whose y. He maintained that the acts of his clients were prohibited by

ose portions of the decree which had been found void and that, arefore, they could not be punished for contempt, inasmuch as they ald not be in contempt of a void decree.

Opposed to the former candidate for president of the United ates in court today were Daniel Davenport and I. I. Darlington, as presentatives of the stove and range company. They were perfectly contended that the untainted vote had not been sufficient to elect Lorimer.

Cummins of Iowa today concluded his speech in opposition to the report of the committee on privileges and elections, he said at least seven members of the lilinois legislature had been involved in bribery proceedings in connection with these should be subtracted from Lorimer's vote and not from the total policontended that the untainted vote had not been sufficient to elect Lorimer.

Deduct Corrupt Vote. trol over the disposition of the contempt case.

Samuel Gompers, John Mitchell and Frank Morrison will go to as a result of today's decision of the supreme court, unless Presit Taft exercises the executive right to clemency, and it is conided by some that in a contempt case the president, even if he has right to pardon, should not set a precedent that would limit the wer of courts to punish for contempt.

#### OOK FOR TAFT'S CLEMENCY

The labor leaders, however, do not seem to think that they will go to jail. The other labor chiefs who are in Washington toht seem to be confident that none of the convicted men will ever ve out his sentence, although it is admitted that the men may be pelled to spend a brief period in jail.

Oral arguments in the so-called "boycott" case of the Buck's e and Range company of St. Louis, Mo., against the American eration of Labor were stopped by the United States supreme

The court reached the conclusion that the parties to the case had fled their differences out of court and that therefore no issue rened for it to pass upon.

Following that action the court listened to oral arguments on the atempt cases" embracing the charges of the Buck's Stove and ge company that Gompers, Mitchell and Morrison had violated MONTANA IN FAVOR OF injunction of the supreme court of the District of Columbia in "boycott" cases.

Each was held guilty and sentenced to jail.

"It is commonly said this case is dead," said Justice Lurton, rrupting argument of the "boycott" case. "I wish you would us if you are trying a moot case."

Continued on Page Two.

Cummins Says Tainted Votes Should Be Taken From Senator's Total Poll.

Texan Classes Election Valid Unless Corrupt Ballot Decided

WASHINGTON, Jan. 27 .- Contending for a rule of procedure that would deny election had been accompanied by fraud, Cummins of Iowa today concluded his

Deduct Corrupt Vote.

Bailey said the corrupt vote should be subtracted from Lorimer's vote and the total vote. Saying there had been 202 votes in the senatorial election, he said the seven corrupt votes should be deducted from the 202 votes and also from the 198 cast for Lorimer, which would give Lorimer 101 votes out of 135—a clear majority.

"Suppose." asked Mr. Cummins, "of the 202 votes, 101 had been for Lorimer and a friend of Lorimer's had bought one other vote for him giving him 102; would Lorimer have been elected?"

"No," responded Bailey; "no, he would not have been, for in that case the corrupt vote decides the result."

"Then it makes a difference when one vote was corrupted, or seven," responded the Iowan, but the Texan would not concede the point.

Borah's Contention.

Borah's Contention.

Borah contended that, under Balley's reasoning, a candidate would get the benefit of half a vote every time he bought a vote, even though the purchased vote was rejected. chased vote was rejected.

Bailey would not have it so and contended that if a corrupt vote was to be rejected for one purpose. It must be rejected for all. He would have such a vote treated as if it had not been cast. Owen contributed the result of a mathematical calculation. saying it showed that according to Balley's calculation, it would have been necessary to buy sixteen votes to invalidate Lorimer's election, while, according to Cummins, seven would have sufficed to that end.

### INCOME TAX AMENDMENT

HELENA, Mont., Jan. 27.—Montana's vote has been cast in favor of the income tax amendment to the constitution of the United States, the senate today, with but one dissenting vote, concurring in the house resolution ratifying the amendment. The resolution passed the house unanimously. house unanimously.

The house today acted favorably on a safe and sane Fourth of July bill.

STORY IS FALSE,

Caucus Causes Uneasiness

in Walsh Ranks.

"They indicate the ports through which interior freights shall puss, and the steamship line and rallroad upon which they must be carried. Today you can send a ton of crockery from Germany to Denver cheaper than you can send it from Chicago to Denver, although each may be carried by the same line as ease of the from Chicago to Denver, although each may be carried by the same line as ease of the committee.

The entire show was beautifully decorated, and in the different lecture halls addresses on Utah were being delivered at all during the afternoon and evening. The day's programme was in charge of J. Edward Taylor, state horticultural relationship in the steamship line and care of a carried by the same line of railways. You can send a case of a carried by the same line of railways. You can send it from Chicago to Denver, although each may be carried by the same line of railways. You can send it from Chicago to Denver although each may be carried by the same line of railways. You can send it from Chicago to Denver, although each may be carried by the same line of railways. You can send it from Chicago to Denver, although each may be carried by the same line of railways. You can send it from Chicago to Denver, although the proposed liquor bill along the ston of Sanpete county, and a response would throw his full support to W. G. Conrad for the purpose of showing the latter that it would be impossible for him to be elected and with the agreement that after this unusual test of strength.

After this prelude the crowd seather than the statement of the streams of the other ablent may be carried, Today you can send a ton of crockery from Germany to Salt Lake City."

Representative Humphrey concluded the purpose of showing the latter that it would be impossible for him to be elected and with the agreement that after this unusual test of strength.

After this prelude the crowd seather the work of preparation of the work of preparation of the wiseless of the first vote was taken. that after this unusual test of strength. Conrad should withdraw from the race.

Conrad should withdraw from the race.

Conrad likewise denied that he had entered into any such arrangement with his opponent, and similar denials were made by leading supporters of the two candidates.

The fact that at no time since the balloting began has the combined vote of Waish and Conrad been sufficient to elect, and the additional fact that since the balloting every Democrat but one has at one time or another voted for either Conrad or Waish, has led many to believe that the election of either is an impossibility, and caused the afternoon story of the alleged deal between the two candidates for the purpose of the two candidates for the purpose of ascertaining just who was blocking the election, to receive much credence.

Walsh Men Uneasy.

With a caucus call in circulation and signed by forty-two of the fifty-three Democrats, there is tonight little prosperiodrats, there is tonight little pros-pect of the call obtaining the necessary fifty-one signatures. This situation has caused a general uneasiness among the Walsh supporters and there were indi-cations today that there soon would be a general dissolution of the Walsh

a general dissolution of the Walsh strength.
Walsh today received the lowest vote he has got since the second day of the balloting. In his losses are numbered two men who have voted for him on every previous ballot. They were Senator Muffly and Representative Crouch, both of Broadwater county. The former cast a complimentary vote for former Mayor B. R. Purcell of Helena, and the latter went directly into the Conrad camp.

Conrad Stands Still.

Conrad Stands Still.

Conrad Stands Still.

Conrad's total today was unchanged, the accession of Representative Crouch being offset by the absence of Representative Alley, and the gain of Representative MacDonald, who has been casting complimentary votes on the last few ballots, being offset by the deflection of Representative Moore of Silver Bow, who joined the scattering column. Today's vote was:

joined the scattering country.

yoto was:

T. H. Carter (Rep.), 34; T. J. Walsh (Dem.), 29; W. G. Conrad (Dem.), 17;

H. H. Parsons (Rep.), 4; W. R. Allen (Rep.), 2; T. M. Swindichurst, B. R. Purcell, C. B. Nolan, George Donohue, all Democrats, and H. J. Haskell, W. W. Harper, H. C. Smith and W. B. Rodgers, all Republicans, 1 each; paired, 6; absent, 1 Republican; necessary to a choice, 48.

#### BARRY'S RESIGNATION IS ACCEPTED IMMEDIATELY

Rear Adelral, Forced to Quit, Says That He Does so for Good of Service.

WASHINGTON, Jan. 27.—By direction of the president, Rear Admiral Edward of the president, Rear Admiral Edward of the Pacific fleet, today submitted his resignation. To the good of the service. It was immediately accepted. The enforced resignation is the outgrowth of the resignation is the outgrowth of the resignation is the outgrowth of the resignation affecting the moral character of the naval officer.

Secretary of the Navy Moyer announced that on instructions from the navel officer's connection with the acceptance of the outgrowth of the resignation. The resignation with the navel officer's connection with the fast trial the jury disagreed, his realignation. The resignation with the fast trial the jury disagreed, his realignation. The resignation with the fast trial the jury disagreed, his realignation, and was compared to the president in the connection with the fast trial the jury disagreed. Flower a manufacture of the factors are reserved to the factors are reserved to the factors are resignation with the fast trial the jury disagreed. Flower a manufacture of the factors are resignation with the fast trial the jury disagreed. Flower a manufacture of the factors are resignated to any solvential to the prison of the service was received today and the fast trial the jury disagreed. Flower a payer published by himself to aid in selling the scoke. He was arrested in selling the scoke. He was arrested in selling the scoke. He was arrested in selling the moral force of the factors are residently and the factors are

This Is Representative Humphrey's Charge Against Foreign Steamship Trusts.

CONCLUDES WITH PLEA FOR MERCHANT MARINE

Beer Rate From Germany to Salt Lake Cheaper Than From Cincinnati.

WASHINGTON, Jan. 27.-Foreign steamship trusts dictate transportation rates, both on land and sea, in the opinion of Representative William E. Humphrey of Washington, who addressed the Commercial club here tonight on ship subsidy legislation.

"The whole country for several years, said Representative Humphrey, "has been hysterical because of the action of the domestic trusts, yet apparently we

the domestic trusts, yet apparently we have viewed with perfect complacency any plundering perpetuated upon the American people done under a foreign flag by foreign ships.

"All foreign nations recognize these combines as perfectly legitimate and uphold their agreements by law. These combines practically admit they are guilty as charged in the courts in this country, but their answer is that we have no remedy."

Says Bill Is Remedy.

Says Bill Is Remedy.

DECLARES WALCH

Humphrey said the bill he had introduced in the house for the exclusion of ships of foreign combines from American ports would put an end to the depredations of foreign trusts.

"More than 90 per cent of the foreign trade of this country today," said Humphrey, "is carried by foreign ships belonging to the pools, rings and conferences between which there is not a regular line of ships running from our ports on either ocean that does not belong to a conference.

"All these companies give rebates and other special privileges. In order to secure them, the customer is required to sign an ironclad agreement to obey all the dictates of the cambine and not to patronize or favor any other line.

"All give special rates to the glant corporations of this country, especially the Standard Oil company, the steel trust and the harvester combine. These discriminations are such that they effectually prevent any competitor of these corporations in this country from competing with them in foreign trade.

Indicate Ports.

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In the company of the cambine and conference.

"All these companies give rebates and other special privileges. In order to secure them.

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#### CRITICISE GOVERNMENT FOR HANGING OF JAPANESE

Los Angeles Socialists Want Uncle Sam to Protest Against Execution of Condemned Men.

LOS ANGELES, Cal., Jan. 27.-A reso-LOS ANGELES, Cal., Jan. 27.—A resolution criticising the government of Japan for the recent hanging of twelve Japanese Socialists was adopted at a meeting held in Labor temple last night under the auspices of the Proletariat club, the Socialist-Labor party, the Social party, the Liberal club and the Industrial Workers of the World, and telegraphed to the Japanese embassador.

The resolution demands "that our representatives in congress call upon the department of state to demand from

resentatives in congress call upon the de-partment of state to demand from the government of Japan full justice for such atroctites and that the same not be repented with reference to the remain-ing fourteen now in jail," and calls upon the workers of the world to use all their industrial power "by way of sabotage, the boycott and refusal to handle raw and finished products destined for Japan, so as to cripple the economic power of the capitalist masters of that country."

#### FREIGHT STEAMERS SAID TO HAVE GONE ONTO ROCKS

NEW YORK. Jan. 27.—Information reached this city early today by wireless that two freight steamers, the Mohegan and the H. M. Whitney, are on the rocks somewhere near the western end of Long Island sound. Their exact location was not given.

The two captains say that they are apparently in no danger and thus far have sustained no serious damage.

The H. M. Whitney, Captain Hone, is a sound freighter of 2700 tons, owned by the Metropolitan Steamship company of New York.

The Mohegan, Captain Croker, carries freight between New London and New York, and is rated at 2800 tons. She is owned in New London.

#### ONE OF THREE ESCAPED MUSICIANS IS CAPTURED

OSSINING, N. J., Jan. 27.—One of the rio of convict musicians who escaped rom Sing Sing last night by knocking he guards insensible with musical inthe guards insensible with musical in-struments, was captured today at Bed-ford station, fourteen miles north of the prison. He is Ralph Taylor, "the slik hat burgiar," who was serving a twenty-

Orator Who Told Glories of Utah at Omaha Land Show



W. D. LIVINGSTON.

## DAY BRINGS

Farmers With Western Fever Visit Exhibit at Omaha and Hear Lectures.

WATCH MOVING PICTURES

W. D. Livingston and C. T. Ray Advertise Resources of State; Cowboy Mayor Responds.

OMAHA, Neb., Jan. 27.-Today was Utah day at the Omaha land show, and the bands of farmers from Nebraska South Dakota and Iowa who have the

western fever were in attendance. The entire show was beautifully deco

#### SMOKE COSTS CHICAGO'S CITIZENS \$21,830,000 YEARLY

Windy City Inspector Says, as Result of Nulsance, Laundries Reap Rich Harvest.

CHICAGO. Jan. 27.—Smoke costs the citizens of Chicago \$21,830,000 a year, or about \$10 per capita, according to statistics given out yesterday by City Smoke Inspector Bird.

Because of the smoke, Bird says the laundries are reaping a harvest and that clothing merchants, dyers, house renovators and painters and operators of vacuum cleaning machines rapidly are becoming millionaires.

"The idea of determining just what smoke cost each Chicagoan every year came to me when a similar experiment was made in Cieveland," he said. "I found that in Chicago our loss is \$10 per capita, or a little matter of \$21,830,000 a year.

year.
"This condition could be remedied in

This condition could be remedied in which there or four years if we had the men had the money to go shead. As the matter stands now, we are able to make lisone headway against the violators, and displayed a host of sults in the courts all the the court.

#### SOUTHWEST PREPARES TO WELCOME ROOSEVELT

colonel Will Eat Omelet Made of One Ostrich Egg. at Phoenix. Ariz

At Phoenix, Ariz. March 18, arrangements are being made to serve the colonel with a unique breakfast, of a specially prepared omelet made of one ostrich egg. The omelet will be weighed before he tackles it, and the colonel will be weighed after he finishes it.

It is also proposed to have a roasted ostrich in the center of the breakfast

The breakfast will be given in the open, and it is expected that 1900 citizens of Phoenix will attend.

## LONE DEMOCRAT HOLDS TOP HAND

Morris Brings About Deadlock in Joint Committee on Liquor Question.

MUCH DIFFICULTY ABOUT PLATFORM INTERPRETATION

Republican Members Stumped Between Spoken Version and Printed Declaration.

David H. Morris, the Democratic eader in the house of representatives, reated a deadlock in the joint committee of the senate and the house in the discussion of the liquor question on Friday morning and effectually blocked any

action that the committee proposed. The Republicans were almost evenly divided on the interpretation of the Republican platform, and the Democratic member, by changing his vote at the proper moment, was able to accomplish the remarkable feat of preventing the Republicans from interpreting their own platform. Mr. Morris announced his purpose in the committee and evidenced keen delight at the discomfiture of the divided Republicans.

Two test votes were taken and both resulted in a tie. Several long speeches were made, but the deadlock was unbroken, and the joint committee adjourned at noon without accomplishing anything. The votes taken were on the question of whether or not the platform provided for local option in the counties outside of incorporated cities or towns, or whether in this territory there should be absolute prohibition. Seven Republicans held that county territory outside of incorporated cities should constitute a voting unit and six voted for prohibition. Representative Morris voted first with the local optionists, but before the vote was announced he switched to the prohibitionists and the vote was a tie.

Committee Is Split. were made, but the deadlock was un-

Committee Is Split.

When the meeting was called to order at 10 o'clock Friday morning fifteen of the sixteen members of the committee were present. Representative Russell, however, left before the first vote was taken. Representative Smith was

on Utah, its agricultural and mining line of the liquor plank in the Repubriches. Moving pictures of scenes in lican state platform. Then followed a Salt Lake City, Ogden and other Utah cities were shown.

CMOUR COCKS CHICAGO'S

as follows: Platform Declaration.

We therefore declare upon this (the liquor) question as follows:

1. In favor of a law prohibiting the sale or other disposal of intoxicating liquors in any and all places outside of the limits of the incorporated cities, and providing that all that jurt of a county outside of the cities of first, second and third class shall constitute a voting unit for the determining of the liquor question.

for the determining of the liquor question.

2. Providing also for local option, within the limits of such incorporated cities and the county units, as set forth above, with appropriate provisions for the submission to the qualified voters thereof, at a special election, of the question as to whether the sale of any such liquors within such cities or county units shall be permitted or prohibited, and we pledge the Republican legislature to put this provision into operation by appropriate laws within ninety days after the adoption thereof.

3. In any such city or county unit, where a majority of the qualified electors having voted upon such question shall not declare for prohibition, we favor the limiting and controlling of the sale and disposal of liquors within the limits thereof under high license and strict regulations.

regulations.

Smoot and the Plank.

The prohibitionists were somewhat in The prohibitionists were somewhat in doubt as to the exact meaning of the state platform, but were sure that in his "keynote" speech Senstor Smoot had declared for prohibition outside of the incorporated cities. Senator Serv said that many of the campaign orators, especially those who appeared in the state had appeared in EL PASO, Tex., Jan 27.—The southhis section of the state had apparently
taken Senator Smoot's speech for the
finnending visit of Colonel Theodore
Roosevelt.

Ariz March 18.

> Continued on Page Eleven. OFFER DRASTIC MARRIAGE

MEASURE IN COLORADO Applicant Must Submit to Physical Examination and Give Clean Bill